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Platon N. Mandros BURNS, DOANE, SWECKER & MATHIS, L.L.P. P.O. Box 1404 Alexandria, VA 22313-1404			ART UNIT	PAPER NUMBER
			2879	

DATE MAILED: 04/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/870,823

Applicant(s)

KUBOTA ET AL.

Examiner

Anthony T Perry

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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**DETAILED ACTION**

***Response to Amendment***

The Amendment filed on 1/04/2004, has been entered and acknowledged by the Examiner.

New claims 19-20 have been added.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 7, 16, and 19-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 7, 16, and 19-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear what is meant by pixel area. Pixel area can refer to an effective part of a display as opposed to the ineffective part of the display (area not emitting light, i.e. the area not containing pixels, such as the peripheral edges of the display). The Examiner has interpreted the term "pixel area" as --area of the individual pixel-- in treating the claims based on the merits.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 4, 7, 11, 14, 15, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawamoto et al. (JP 2000-114773).

Regarding claim 1, Kawamoto et al. teach an electromagnetic-wave-shielding film, comprising a transparent support 5 and a conductive layer 3 (see fig. 10). The conductive layer comprises a metal thin film in the form of a mesh film that comprises lattice lines which define at least a quadrilateral unit space and an elliptical unit space (see fig. 5).

Regarding claim 4, the mesh film formed from the metal thin film is formed by etching using a photolithography method (see paragraph 12).

Regarding claim 7, it is inherent that the a unit space area of the mesh film shown in fig. 5 of the Kawamoto reference is two fifths or less of a pixel area of an existing image display device.

Regarding claim 11, Kawamoto et al. teach a method of producing an electromagnetic-wave-shielding film, comprising a transparent support 5 and a conductive layer 3 (see fig. 10). The conductive layer comprises a metal thin film in the form of a mesh film that comprises lattice lines which define at least a quadrilateral unit space and an elliptical unit space (see fig. 5).

Regarding claim 14, the mesh film formed from the metal thin film is formed by etching using a photolithography method (see paragraph 12).

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Regarding claims 15 and 18, Kawamoto et al. teach an image display device comprising an electromagnetic-wave-shielding film, comprising a transparent support 5 and a conductive layer 3 (see fig. 10). The conductive layer comprises a metal thin film in the form of a mesh film that comprises lattice lines which define at least a quadrilateral unit space and an elliptical unit space (see fig. 5). The electromagnetic-wave-shielding film is mounted on the front surface of a plasma display panel (see paragraph 1).

Claim 19 is rejected under 35 U.S.C. 102(b) as being anticipated by Yoshikawa et al. (JP 11-184384) or under 35 U.S.C. 102(e) by Yoshikawa et al. (US 6,150,754).

Note that the patents are from the same patent family. The US patent is used to cite the teachings for simplicity.

Regarding claim 19, the Yoshikawa reference teaches an electromagnetic wave shielding film, having a transparent support and a conductive layer composed of a metal thin film (col. 23, lines 43-50). The conductive layer is composed of a mesh film in which random portions are formed (see Fig. 2). It is inherent that the a unit space area of the mesh film shown in fig. 5 of the Kawamoto reference is two fifths or less of a pixel area of an existing image display device.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-6 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Kawamoto et al. (JP 2000-114773).

Regarding claim 2-3, the shapes of the random (see abstract) mesh portions formed in the conductive layer are formed by intersecting points (see Fig. 5).

Furthermore, the Examiner notes that the recitations “obtained by shifting lattice lines of a regular lattice pattern from the original position thereof” and “located within an area defined by linking middle points between an individual intersecting point and each adjacent point thereof of the regular lattice before shifting the lattice lines” are drawn to a process of manufacturing which is incidental to the claimed apparatus. It is well established that a claimed apparatus cannot be distinguished over the prior art by a process limitation. Consequently, absent a showing of an unobvious difference between the claimed product and the prior art, the subject product-by-process claim limitation is not afforded patentable weight (see MPEP 2113). Therefore, it is the position of the examiner that it would have been obvious to one of ordinary skill in the art that the mesh film disclosed by Kawamoto is at least a fully functional equivalent to the Applicant’s claimed invention as evidenced by Kawamoto’s suggestion of all of the Applicant’s claimed structural limitations.

Regarding claim 4, the intersecting points of the lattice lines of the random mesh portions of Fig. 5 are within an area defined by linking middle points between an individual intersecting point and each adjacent point thereof of a regular lattice pattern.

The Examiner notes that the claim limitation that “the mesh film formed by the metal thin film is formed by etching according to a photolithography method” is drawn to a process of manufacturing which is incidental to the claimed apparatus. It is well established that a claimed

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apparatus cannot be distinguished over the prior art by a process limitation. Consequently, absent a showing of an unobvious difference between the claimed product and the prior art, the subject product-by-process claim limitation is not afforded patentable weight (see MPEP 2113). Therefore, it is the position of the examiner that it would have been obvious to one of ordinary skill in the art that the mesh film disclosed by Kawamoto is at least a fully functional equivalent to the Applicant's claimed invention as evidenced by Kawamoto's suggestion of all of the Applicant's claimed structural limitations.

Regarding claims 5-6, Kawamoto teaches that it is preferable to have the lattice lines be within a range of 5-50 microns which overlaps the range of 15 microns or less as well as the range of 0.1 microns to 10 microns (see paragraph 33).

Claims 8-10 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamoto et al. (JP 2000-114773).

Regarding claim 8, Kawamoto does not specifically state that the film is subjected to blackening. However, it is well known in the art to blacken the metal thin film so as to remove the color of the metal and to prevent reflection. Accordingly, one of ordinary skill in the art would have found it obvious at the time of the invention to blacken the mesh film so as to prevent reflection providing a better contrast to the display device.

Regarding claim 9, Kawamoto does not specifically state the use of an infrared-ray cutting layer containing a dye that absorbs light in an infrared-ray range. However, it is well known in the art to provide such a dye so as to block heat-rays (infrared-rays) so as to block the internal components of the display device from external heat. Accordingly, one of ordinary skill

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in the art would have found it obvious at the time of the invention to provide such a dye so as to block heat-rays (infrared-rays) so as to protect the display device and its components from external heat.

Regarding claim 10, Kawamoto does not specifically state that a visible light absorbing layer containing a dye that absorbs light in a visible light range is used. However, it is well known in the art to incorporate such a dye into the film so as to absorb ambient light so as to prevent reflections and provide better contrast. Accordingly, one of ordinary skill in the art would have found it obvious at the time of the invention to provide such a dye so as to prevent reflections and provide the display with better contrast.

Regarding claim 16, it is inherent that the a unit space area of the mesh film shown in fig. 5 of the Kawamoto reference is two fifths or less of a pixel area of an existing image display device. The shapes of the random (see abstract) mesh portions formed in the conductive layer are formed by intersecting points (see Fig. 5).

The Examiner notes that the recitation "obtained by shifting lattice lines of a regular lattice pattern from the original position thereof," is drawn to a process of manufacturing which is incidental to the claimed apparatus. It is well established that a claimed apparatus cannot be distinguished over the prior art by a process limitation. Consequently, absent a showing of an unobvious difference between the claimed product and the prior art, the subject product-by-process claim limitation is not afforded patentable weight (see MPEP 2113). Therefore, it is the position of the examiner that it would have been obvious to one of ordinary skill in the art that the mesh film disclosed by Kawamoto is at least a fully functional equivalent to the Applicant's



claimed invention as evidenced by Kawamoto's suggestion of all of the Applicant's claimed structural limitations.

Regarding claim 17, Kawamoto does not specifically state the use of an infrared-ray cutting layer containing a dye that absorbs light in an infrared-ray range. However, it is well known in the art to provide such a dye so as to block heat-rays (infrared-rays) so as to block the internal components of the display device from external heat. Accordingly, one of ordinary skill in the art would have found it obvious at the time of the invention to provide such a dye so as to block heat-rays (infrared-rays) so as to protect the display device and its components from external heat.

Claims 1-6, 9-11, 15, 17-18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshikawa et al. (JP 11-184384) or Yoshikawa et al. (US 6,150,754).

Note that the patents are from the same patent family. The US patent is used to cite the teachings for simplicity.

Regarding claim 1, the Yoshikawa reference teaches an electromagnetic wave shielding film, having a transparent support and a conductive layer composed of a metal thin film (col. 23, lines 43-50). The conductive layer is composed of a mesh film in which random portions are formed and include a quadrilateral unit space (see Fig. 2). Yoshikawa does not specifically teach that the lattice lines define a unit space having a shape of a pentagon, hexagon, circle, or an ellipse. However, it is noted that the applicant's specific limitation of the lattice lines defining a pentagon, hexagon, circle, or an ellipse shape, does not solve any of the stated problems or yield any unexpected result that is not within the scope of the teachings applied. Therefore it is

considered to be a matter of choice, which a person of ordinary skill in the art would have found obvious to select any shape, as long as they are random and do not form a repeating pattern.

Regarding claims 2-3, the shape of the random mesh portions formed in the conductive layer is formed by intersecting points (see Fig. 2).

Furthermore, the Examiner notes that the recitations “obtained by shifting lattice lines of a regular lattice pattern from the original position thereof” and “located within an area defined by linking middle points between an individual intersecting point and each adjacent point thereof of the regular lattice before shifting the lattice lines” are drawn to a process of manufacturing which is incidental to the claimed apparatus. It is well established that a claimed apparatus cannot be distinguished over the prior art by a process limitation. Consequently, absent a showing of an unobvious difference between the claimed product and the prior art, the subject product-by-process claim limitation is not afforded patentable weight (see MPEP 2113). Therefore, it is the position of the examiner that it would have been obvious to one of ordinary skill in the art that the mesh film disclosed by Yoshikawa is at least a fully functional equivalent to the Applicant’s claimed invention as evidenced by Yoshikawa’s suggestion of the Applicant’s claimed structural limitations.

Regarding claims 4, the intersecting points of the lattice lines of the random mesh portions shown in Fig. 2 are within an area defined by linking middle points between an individual intersecting point and each adjacent point thereof of a regular lattice pattern.

The Examiner notes that the claim limitation that “the mesh film formed by the metal thin film is formed by etching according to a photolithography method” is drawn to a process of manufacturing which is incidental to the claimed apparatus. It is well established that a claimed

apparatus cannot be distinguished over the prior art by a process limitation. Consequently, absent a showing of an unobvious difference between the claimed product and the prior art, the subject product-by-process claim limitation is not afforded patentable weight (see MPEP 2113). Therefore, it is the position of the examiner that it would have been obvious to one of ordinary skill in the art that the mesh film disclosed by Yoshikawa is at least a fully functional equivalent to the Applicant's claimed invention as evidenced by Yoshikawa's suggestion of all of the Applicant's claimed structural limitations.

Regarding claims 5-6, Yoshikawa teaches that the lines that form the random mesh portions each have a width of 200 microns or less which encompasses the range of 15 microns or less as well as the range of 0.1 microns to 10 microns (col. 23, lines 43-50).

Regarding claim 9, Yoshikawa teaches that the electromagnetic wave shielding film may include an infrared-ray cutting layer containing a dye (col. 14, lines 29-35). The functional language that the dye absorbs light in an infrared-ray range has not been given patentable weight because it is narrative in form. In order to be given patentable weight, a functional recitation must be expressed as a "means" for performing the specified function, as set forth in 35 U.S.C. § 112, 6<sup>th</sup> paragraph, and must be supported by recitation in the claim of sufficient structure to warrant the presence of the functional language.

Regarding claim 10, Yoshikawa teaches that the electromagnetic wave shielding film may include a layer including a coloring agent such as a dye whose inclusion would inherently make the layer a visible-light layer.

Regarding claim 11, the Yoshikawa reference teaches a method of producing an electromagnetic wave shielding film, having a transparent support and a conductive layer

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composed of a metal thin film (col. 23, lines 43-50). The conductive layer is formed by using a mesh film in which random portions are formed (see Fig. 2). Yoshikawa does not specifically teach that the lattice lines define a unit space having a shape of a pentagon, hexagon, circle, or an ellipse. However, it is noted that the applicant's specific limitation of the lattice lines defining a pentagon, hexagon, circle, or an ellipse shape, does not solve any of the stated problems or yield any unexpected result that is not within the scope of the teachings applied. Therefore it is considered to be a matter of choice, which a person of ordinary skill in the art would have found obvious to select any shape, as long as they are random and do not form a repeating pattern.

Regarding claim 15 and 18, Yoshikawa reference teaches an electromagnetic wave shielding film, having a transparent support and a conductive layer composed of a metal thin film (col. 23, lines 43-50). The conductive layer is composed of a mesh film in which random portions are formed (see Fig. 2). The electromagnetic wave shielding film is attached to the front surface of a plasma display device (col. 5, line 64 – col. 6, line 7).

Regarding claim 17, Yoshikawa teaches that the electromagnetic wave shielding film may include an infrared-ray cutting layer containing a dye (col. 14, lines 29-35). The functional language that the dye absorbs light in an infrared-ray range has not been given patentable weight because it is narrative in form. In order to be given patentable weight, a functional recitation must be expressed as a "means" for performing the specified function, as set forth in 35 U.S.C. § 112, 6<sup>th</sup> paragraph, and must be supported by recitation in the claim of sufficient structure to warrant the presence of the functional language.

Regarding claim 20, the Yoshikawa reference teaches an electromagnetic wave shielding film, having a transparent support and a conductive layer composed of a metal thin film (col. 23,

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lines 43-50). The conductive layer is composed of a mesh film in which random portions are formed (see Fig. 2). The electromagnetic wave shielding film is attached to the front surface of a plasma display device (col. 5, line 64 – col. 6, line 7).

Furthermore, the Examiner notes that the recitation “obtained by shifting lattice lines of a regular lattice pattern from the original position thereof” is drawn to a process of manufacturing which is incidental to the claimed apparatus. It is well established that a claimed apparatus cannot be distinguished over the prior art by a process limitation. Consequently, absent a showing of an unobvious difference between the claimed product and the prior art, the subject product-by-process claim limitation is not afforded patentable weight (see MPEP 2113).

Therefore, it is the position of the examiner that it would have been obvious to one of ordinary skill in the art that the mesh film disclosed by Yoshikawa is at least a fully functional equivalent to the Applicant’s claimed invention as evidenced by Yoshikawa’s suggestion of the Applicant’s claimed structural limitations.

Yoshikawa does not specifically teach that the unit space area of the mesh film being two fifths or less than an area of an individual pixel. However, it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. *In re Aller*, 105 USPQ 233. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide an acceptable range for the unit space area of the mesh compared to the unit space area of the pixels, since optimization of workable ranges is considered within the skill of the art.

Claims 1 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeuchi (JP 11266095).

Regarding claim 1 and 8, the Takeuchi reference teaches an electromagnetic wave shielding film having a transparent substrate and a conductive layer composed of a metal thin film, wherein the conductive layer is composed of a mesh film in which random portions are formed. The surface of the electromagnetic wave shielding includes a blackening layer (see abstract).

Takeuchi does not specifically teach that the lattice lines define a unit space having a shape of a pentagon, hexagon, circle, or an ellipse. However, it is noted that the applicant's specific limitation of the lattice lines defining a pentagon, hexagon, circle, or an ellipse shape, does not solve any of the stated problems or yield any unexpected result that is not within the scope of the teachings applied. Therefore it is considered to be a matter of choice, which a person of ordinary skill in the art would have found obvious to select any shape, as long as they are random and do not form a repeating pattern.

Claims 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshikawa et al. (JP 11-074684) and by Yoshikawa et al. (US 6,090,473).

Note that the patents are from the same patent family. The US patent is used to cite the teachings for simplicity.

Regarding claim 11 and 13, the Yoshikawa reference teaches a method of producing an electromagnetic wave shielding film, having a transparent support and a conductive layer composed of a metal thin film (col. 3, lines 3-20). The conductive layer is formed by using a

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mesh film in which random portions are formed (col. 13, lines 16-19). The Yoshikawa reference teaches forming the mesh film by electroless plating (col. 14, lines 41-44).

Yoshikawa does not specifically teach that the lattice lines define a unit space having a shape of a pentagon, hexagon, circle, or an ellipse. However, it is noted that the applicant's specific limitation of the lattice lines defining a pentagon, hexagon, circle, or an ellipse shape, does not solve any of the stated problems or yield any unexpected result that is not within the scope of the teachings applied. Therefore it is considered to be a matter of choice, which a person of ordinary skill in the art would have found obvious to select any shape, as long as they are random and do not form a repeating pattern.

Claims 11, 12, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goto et al. (JP 2000-114770) and Goto et al. (US 6,210,787).

Note that the patents are from the same patent family. The US patent is used to cite the teachings for simplicity.

Regarding claims 11 and 14, the Goto reference teaches a method of producing an electromagnetic wave shielding film, having a transparent support and a conductive layer composed of a metal thin film. The conductive layer is formed by using a mesh film in which random portions are formed (see abstract). The Goto reference teaches forming the mesh film pattern by etching according to a photolithography method (col. 4, lines 53-55).

Goto does not specifically teach that the lattice lines define a unit space having a shape of a pentagon, hexagon, circle, or an ellipse. However, it is noted that the applicant's specific limitation of the lattice lines defining a pentagon, hexagon, circle, or an ellipse shape, does not

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solve any of the stated problems or yield any unexpected result that is not within the scope of the teachings applied. Therefore it is considered to be a matter of choice, which a person of ordinary skill in the art would have found obvious to select any shape, as long as they are random and do not form a repeating pattern.

Regarding claim 12, the Goto reference does not specifically state that the random mesh portions are obtained by shifting lattice lines of a regular lattice pattern from the original position thereof. However, it is noted that the applicant's specific limitation of the random mesh portions being formed by shifting the lattice lines of a regular lattice pattern from the original position thereof, does not solve any of the stated problems or yield any unexpected result that is not within the scope of the teachings applied. Therefore it is considered to be a matter of choice, which a person of ordinary skill in the art would have found obvious to select any known method (screen printing, electroless plating, a photolithography method, shifting lattice lines of a regular lattice pattern) of forming the random mesh portions as long as they do not form a repeating pattern.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).



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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### **Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Anthony Perry* whose telephone number is (571) 272-2459. The examiner can normally be reached between the hours of 9:00AM to 5:30PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel, can be reached on (571) 272-24597. **The fax phone number for this Group is (703) 872-9306.**

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [Anthony.perry@uspto.gov].

*All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly*

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*signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.*

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



Anthony Perry  
Patent Examiner  
Art Unit 2879  
April 19, 2004



Vip Patel  
Primary Examiner  
Art Unit 2879